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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7 ANTHONY BAILEY,

8 Plaintiff(s),

9 v.

10 STATE OF NEVADA, et al.,

11 Defendant(s).

Case No. 2:16-CV-2515 JCM (GWF)

ORDER

12  
13 Presently before the court is Magistrate Judge Foley's report and recommendation. (ECF  
14 No. 5). Plaintiff Anthony Bailey filed an objection. (ECF No. 10). No responses have been filed,  
15 and the deadline for filing objections has since passed.

16 This court "may accept, reject, or modify, in whole or in part, the findings or  
17 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects  
18 to a magistrate judge's report and recommendation, then the court is required to "make a de novo  
19 determination of those portions of the [report and recommendation] to which objection is made."  
20 28 U.S.C. § 636(b)(1).

21 Where a party fails to object, however, the court is not required to conduct "any review at  
22 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149  
23 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
24 magistrate judge's report and recommendation where no objections have been filed. *See United*  
25 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review  
26 employed by the district court when reviewing a report and recommendation to which no  
27 objections were made).

1 Magistrate Judge Foley recommends that the court dismiss plaintiff's causes of action  
2 against the state of Nevada, the justices of the Nevada Supreme Court, Judge Valerie Adair, Steven  
3 Wolfson, Adam Paul Laxalt, Thomas Groves, Laura Rehfeldt, Bethany Sanchez, and Nancy  
4 Katafia, in her official capacity, for failure to state a claim upon which relief can be granted. (ECF  
5 No. 5).

6 Plaintiff's objection does not adequately raise and address objectionable issues with  
7 Magistrate Judge Foley's R&R. Nevertheless, this court finds it appropriate to engage in a *de novo*  
8 review to determine whether to adopt the recommendation of the magistrate judge. Upon  
9 reviewing the recommendation and underlying briefs, the court finds that good cause appears to  
10 adopt the magistrate judge's findings.

11 Magistrate Judge Foley granted plaintiff leave to file an amended complaint against  
12 defendants Welch and Katafia. (ECF No. 5). On November 17, 2017, plaintiff filed an amended  
13 complaint. (ECF No. 11). The amended complaint references defendants other than defendants  
14 Welch, and does not reference defendant Katafia. The court will dismiss plaintiff's amended  
15 complaint as to all defendants except Welch.

16 Accordingly,

17 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge  
18 Foley's report and recommendation (ECF No. 5) be, and the same hereby is, ADOPTED in its  
19 entirety.

20 IT IS FURTHER ORDERED that plaintiff's causes of action against the state of Nevada,  
21 the justices of the Nevada Supreme Court, Judge Valerie Adair, Steven Wolfson, Adam Paul  
22 Laxalt, Thomas Groves, Laura Rehfeldt, Bethany Sanchez, and Nancy Katafia, in her official  
23 capacity, be, and the same hereby are, DISMISSED with prejudice.

24 DATED April 12, 2018.

25   
26 UNITED STATES DISTRICT JUDGE